City of Toronto

RETAIL STRIPS PARKING STRATEGY PROPOSALS

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Contributors: Paul J. Bedford
Helen Coombs
Andrew Koropeski
Barbara Leonhardt
Silvia Maritan
John Mende
Nick Vardin
Norris P. Zucchet

Design, layout, typesetting and graphics
by Graphics & Communications Section,
Planning & Development Department

Cover photograph by Vince Pietropaolo

This is a joint report by:

Robert E. Millward
Commissioner, Planning & Development Department

Raymond M. Bremner
Commissioner, Department of Public Works

Reginald W. Lewis
President, Parking Authority of Toronto

For further information please contact Helen Coombs at 392-7339

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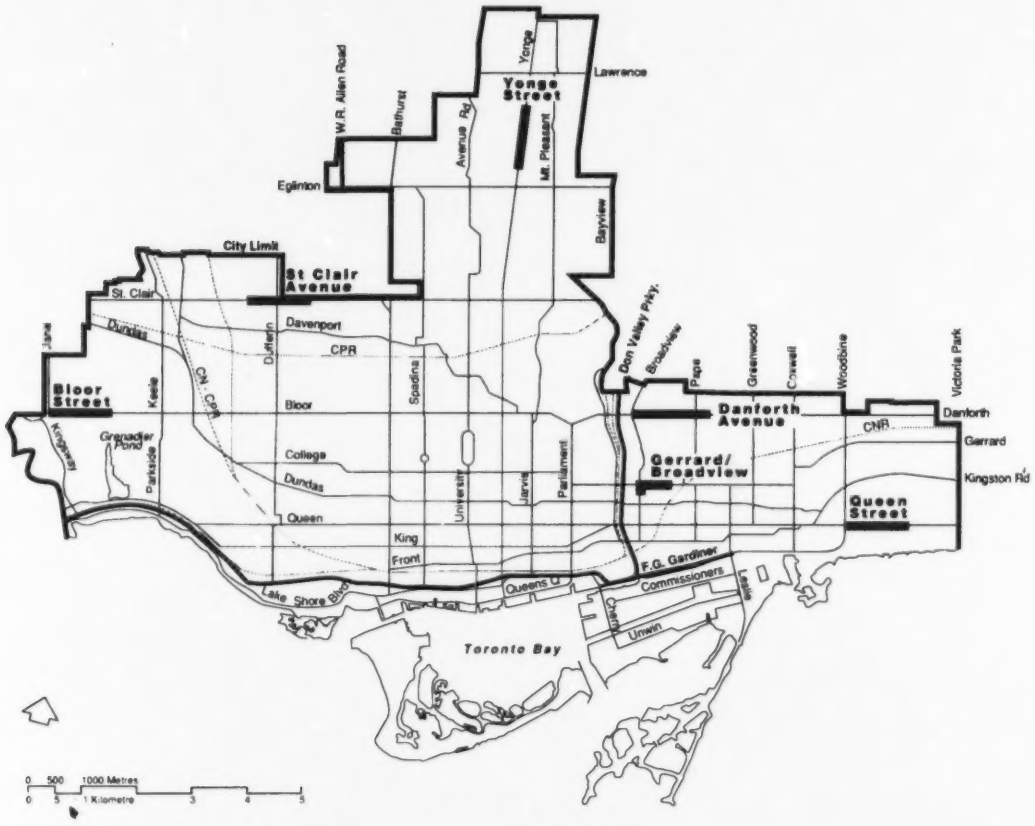
1

Summary

This report is in response to a request from City Services Committee for a parking study of retail strips outside the Central Area.

Among the strategies examined during the course of the study, was the City's cash-payment-in-lieu policy (see page 16). The recommended strategy including a parking standard for both retail and restaurant uses is found on page 9 of this report.



Map 1
Commercial Strips Subject of Retail Strips Parking Study

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Background

Toronto's main streets constitute an important component of the City's urban fabric. They are the public face of Toronto's neighbourhoods and serve not only as focal points of the residential communities that surround them but also as the major arteries of the City. Although Toronto's neighbourhoods are ever-changing in terms of the composition of their population, the physical form of the street has remained largely intact over the years.

There is a recognized parking problem in many of Toronto's commercial strips outside the Central Area which has its origins in this historic pattern of development on retail strips. This continuous network of commercial streets with 2 – 3 storey buildings often built lot line to lot line has few if any on-site parking and access opportunities.

At the same time as this parking problem is acknowledged, there is a realization that it may not be physically possible nor desirable to accommodate the current or projected parking demand on site. As well, Council has made a commitment to the preservation and encouragement of existing retail strips outside the Central Area. It must also be recognized, however, that residents find it unacceptable that residential streets are used as alternatives to commercial parking.

This fundamental dichotomy between encouraging retail[1] strips to succeed while recognizing that such success has contributed to a complex parking problem resulted in the formation of the Retail Shopping Strips Parking Steering Committee. This Committee, comprised of the Commissioners of Planning and Development, Public Works and the President of the Parking Authority of Toronto, was charged with the responsibility of examining in detail all aspects of parking for strip retail and restaurant uses within the context that the goal of supporting retail strips not be sacrificed to the provision of parking.

[1] *For the purposes of this report, the definition of retail does not include department store or groceteria, both of which already have a parking standard defined in By-Law 438-86. At present, all other retail and restaurant uses outside the Central Area are not required to provide parking.*

In 1987, on recommendation of the Steering Committee, City Council approved the retention of a consultant, DeLeuw Cather Canada (DeLCan) to provide the following:

- a recommended parking strategy for retail uses in the City outside the Central Area; and
- a recommended parking standard for large developments, regional stores and restaurants and, if applicable, whether there should be parking standards for other retail and restaurant uses on the retail strips.

Six case study areas and other supplementary retail and restaurant sites were selected for analysis (see Map 1). The resulting data base was used to assess parking and loading demands generated by retail and restaurant uses on the commercial strips.

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Key Findings

The consultant collected and assessed a wide range of data related to many facets of parking in the City's retail areas. The detailed results were reported in the consultant's Final Report and Technical Appendix. The assessment of this material formed the basis of the Steering Committee's recommended parking strategy for commercial strips.

3.1 Land Use Character of the Commercial Strips

For the purposes of this study, the following land use categories were used: retail, restaurant, residential, office, institutional and other, (e.g. schools, auto-related, warehousing). Although general trends were identified with respect to the mix of uses on the commercial strips, definitive patterns did not emerge (see Table 1). In addition to this data, a review of land use trends over the past five years was undertaken on the case study strips.

Key Findings

"Institutional and Other" uses form a significant component, ranging from 12% (Gerrard/Broadview) to 35% (Yonge);

Of the remaining uses:

- overall residential use is the predominant use;
- retail use is generally slightly lower than residential;
- restaurant use is the smallest proportion on all six case study areas and also the most consistent in terms of proportion, ranging from 4% to 10%;

Total area for retail and residential uses has remained relatively stable for the past five years in terms of proportional and absolute area, however, proportional increases for restaurant and office uses have occurred. While the percentage increases for restaurant and office uses are large, (23% and 13% respectively) these uses still comprise the smallest proportion of retail strip uses.

3.2 Parking Inventory and Utilization

Parking inventory data and utilization statistics collected for the case study strips are summarized in Tables 2 and 3. A number of key conclusions related to general parking patterns in the commercial strip areas were drawn from the survey data.

Key Findings

On-street parking spaces on the residential flankages make up approximately 35% of the total on-street supply and 15% of the combined on-street and off-street public spaces, within the bounds defined for the commercial strip areas included in this study.

Visitors to the retail facilities on commercial strips prefer to park on-street. Generally, the utilization of on-street spaces exceeds the use of spaces in public lots. Even at times of extensive illegal on-street parking, the lots in some areas are often under-utilized.

Parking duration for all spaces is generally less than one hour with the range being 57% to 72% of all cars parked along the case study strips. Nine to 18% of parkers remained for a period of more than 3 hours.

On-street duration (68% to 82% park for less than one hour) is generally shorter than that of the off-street lots (35% to 74% park for less than one hour).

3.3 Parking Demand Generated by Retail and Restaurant Uses

Parking demand ratios were determined from patron interviews and employers' surveys for restaurant and retail uses (see Tables 4 and 5).

Key Findings

Visitor parking demand results for the retail use was consistent amongst the case study strips. On an aggregate basis, these uses generated a demand of 1.24 parking spaces per 100 square metres of gross floor area or 1 parking space per 80 square metres.

A wide variation in visitor parking demand for restaurants exists, ranging from 0.46 to 12.50 parking spaces per 100 square metres of gross floor area. For both lunch and dinner periods, the 50th percentile parking demand is 3.0 spaces per 100 square metres or 1 parking space per 33 square metres of gross floor area. This means that half of the establishments surveyed generated a demand less than this figure, while the other half generated a demand greater. (Although the aggregate results provide definite trends, the isolation of trends for each individual strip was not meaningful);

Peak employee parking demand was the same for retail and restaurant uses: 1.45 spaces and 1.48 spaces per 100 square metres of gross floor area, respectively. Approximately 43% of this demand is being satisfied by private parking spaces. Of those employees using public spaces, a range of 60% to 95% were parked within the retail area, with the remainder in adjacent residential areas; and

The data does not support the differentiation of parking demand ratios based solely on size or use of the various retail or restaurant establishments.

3.4 Travel Characteristics

There has been considerable discussion in the past concerning the role of successful commercial strips and the extent to which they are attracting a regional market. The questions of visitor places of origin and travel modes were addressed in the interview surveys (see Table 6).

Key Findings

These retail strips serve predominantly local markets. Approximately two-thirds of the patrons reside, on average, within 3 km. of the strip. Patrons from outside Metropolitan Toronto do not exceed 4% on any strip;

A minimum of 75% of those interviewed visit the strip at least once per week;

Approximately one-third of the patrons arrive by car;

The further the place of origin, the more likely the auto is used;

Within the strip and surrounding area, walking is the predominant mode of access, however, a component of the parking demand is generated by the local patrons (ranging from 38% to 76%).

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Recommended Parking Strategy

An assessment of the survey data and study findings has highlighted the complexity of issues related to parking on commercial strips in the City of Toronto outside the Central Area. In attempting to resolve these issues in a balanced manner, the following parking strategy is recommended:

Strategy

Introduce minimum parking standards in the Zoning By-Law for retail and restaurant uses outside the Central Area;

Expand the supply of collective parking facilities within the commercial areas to accommodate both the visitor and employee parking demand;

Implement management strategies to ensure the optimum use of existing spaces;

Delete certain land uses from the CR and C1 land use categories as their size and/or potential generation of traffic may exacerbate existing parking problems.

The overall thrust of the recommended parking strategy is to optimize the use of existing on-street and off-street public parking facilities and to ensure that the parking supply within the commercial areas is increased over time in response to commercial development and any existing deficiencies, thereby relieving pressure from adjacent residential areas. An approach has been selected that is geared largely to parking supply mechanisms and has generally avoided restrictive parking policies. At the same time, the strategies build upon the substantial supply of on-street parking spaces available within the commercial strip areas. These strategies have relied on the data collected by the consultant and an in-depth assessment of the consultant's recommendations.

4.1 Zoning By-Law Parking Standards

Council has, in the Central Area and with other uses outside the Central Area, applied the principle that those generating a need for parking should contribute in some manner to the accommodation of this need. The parking strategy recommended in this report recognizes that a significant supply of parking spaces on-street and in public lots is available to serve the commercial strips. However, these spaces alone often are insufficient to accommodate the entire demand generated by these uses, resulting in overflow parking in adjacent residential areas.

The field studies and surveys that formed the basis of the recommended parking standards indicated that commercial uses exhibit a wide range of parking demand characteristics, depending, among many other factors, on the success of an establishment, marketing, merchandise and type of use. Parking demand for the individual uses also varies throughout the course of a day, week and year. These complex, dynamic relationships, many of which cannot be quantified at the development application stage, render the selection of appropriate standards difficult.

A number of possible approaches were considered in determining an appropriate parking standard:

- Satisfy the entire observed demand (visitor and employee);
- Satisfy some component of the demand (visitor or employee, or some portion of each);
- Continue status quo (no parking requirement).

It is recommended that the standards reflect observed median peak visitor parking demands for the respective retail strip uses; hence, satisfying a significant component of the demand without detrimental impacts to the neighbourhood. This rationale is consistent with the intent of the Central Area Parking and Loading Study.

In formulating the recommended standards, it was necessary to balance the physical constraints of requiring parking for retail and restaurant uses on small sites against the potential adverse impacts on the surrounding areas that result from an inadequate supply of commercial parking. It is important, however, to ensure that the parking resolutions do not detract from the fundamental character of the City. Therefore, the selection of appropriate standards, although based on a comprehensive assessment of the field data, is largely dependent on strategic and policy issues. There is no set formula to transform the data results into unequivocal parking standards. Recognizing these often conflicting considerations, the following minimum parking standards are recommended to be incorporated in the Zoning By-Law:

Strategy Element

Retail uses outside the Central Area, excluding groceteria and department store: 1 parking space for each 80 square metres of gross floor area or fraction equal to or greater than one-half thereof, be provided and maintained on the same lot or not more than 300 metres therefrom.

Restaurant uses outside the Central Area: 1 parking space for each 33 square metres of gross floor area or fraction equal to or greater than one-half thereof, be provided and maintained on the same lot or not more than 300 metres therefrom.

A review of development on the six case study strips over the last five years (summarized in Table A) indicates that the actual number of parking spaces constructed is considerably less than the number of spaces which would have been required under the recommended parking standards, particularly for restaurants. Consequently, it is likely that the additional parking demand generated by the construction of new retail and restaurant uses has been satisfied by existing public spaces, both within the commercial strip area and adjacent residential streets.

Table A
Comparison of Spaces Provided and Spaces Required for Development Activity Between 1984-1989

	Number of Construction Projects	Total Additional Area (sq.m.)	Number of Spaces Provided	Number of Spaces Required Under Proposed Parking Standards
Retail Uses				
Yonge	9	1,668	6	21
St. Clair	17	2,989	3	36
Bloor	15	1,473	4	20
Gerrard/Broadview	28	6,773	19	83
Danforth	23	7,143	50	88
Queen	17	3,119	26	39
Total			**108**	**287**
Restaurant/Taverns				
Yonge	7	1,561	0	47
St. Clair	7	616	0	25
Bloor	6	746	0	23
Gerrard/Broadview	10	2,086	1	64
Danforth	33	7,790	10	232
Queen	7	1,267	1	38
Total			**12**	**429**

4.2 Collective Parking Strategies

On many sites, implementation of the recommended parking standards may not be possible for the following reasons:

- The narrow width of the majority of sites along retail strips precludes the provision of individual driveways;
- Rear lanes are not available in all parts of the City and those that do exist may not be suitable because of deficient widths and illegal parking;
- Where on-site parking is presently provided, it is often required to satisfy demands generated by office and residential uses;
- From survey results, it can be concluded that even where on-site parking is available, patrons often prefer the convenience of on-street parking;

In view of the need to protect the character of the retail strips and surrounding residential areas, collective parking strategies as alternatives to providing on-site parking must be pursued.

The Parking Authority of Toronto

The provision of off-street municipal parking within the City of Toronto is the responsibility of the Parking Authority of Toronto. Its mandate includes the construction, maintenance and operation of all municipally-owned carparks. The Authority strives to meet the parking demands of the City by developing new parking facilities in deficient areas.

The first step in the development of a new carpark is the completion of a parking study. Each year, the Authority's staff undertakes a number of studies to objectively assess the nature and magnitude of an area's potential parking problem. A parking study is initiated as a result of one or more of the following:

- periodic review of parking trends carried out by the Authority's staff;
- closure of privately owned parking facilities or reduction in the number of legal on-street spaces;
- expectation of significant property development or redevelopment which may impact on the demand or supply of parking;
- opportunity to expand and/or redevelop an existing Authority carpark or to acquire a site for a new facility;
- request from members of Council and/or officials of the City;
- request from local business or residents group.

A preliminary study of each area is conducted to determine the extent of the parking problem. The Authority's staff discuss the plans for the study areas with the City's Planning and Development Department. In addition, meetings are frequently held with the local business and residents groups. Based on this data, the Authority's planning staff establishes a timetable for its studies. Each full study includes an analysis of the following:

- land use data for current and proposed developments;
- usage and occupancy of the on and off-street parking supply, including illegal parking;
- assessment of the potential for a change in the public parking supply or demand due to redevelopment proposals; and,
- interviews and surveys of visitors to the area (eg. place of origin and destination, parking location).

The primary purpose of a parking study is the assessment of the parking supply and demand balance. If a deficiency is identified, the Authority investigates appropriate means of reducing the shortfall. Potential solutions include the expansion of existing facilities located within the study area and the development of a new carpark on available land. In those areas where a municipal parking lot does not exist, an active property search is initiated. Contacts are made with City officials, real estate brokers and property owners to identify available parcels of land.

As the Authority's mandate includes the requirement that it be financially self-sustaining, a detailed financial analysis for each development alternative is conducted. A net present value (NPV) is calculated to indicate the economic viability of a new project. It compares the expected revenues versus the costs of providing the new parking spaces. If a negative NPV is calculated, then the proposal is considered incapable of meeting its own financial needs. The financial analysis may take into consideration the following factors, as applicable:

- cost of land
- cost of construction
- structure maintenance expense
- operating maintenance expense
- operating revenue
- salvage values at the end of the study period.

When a project is approved, it is added to the Authority's capital budget. Available sources of funds for the capital programme include the Authority's surplus net revenue, debentures, the proceeds of the Off-Street Parking Fund (i.e. payments-in-lieu) and the on-street Meters and Permits Fund. In addition, money may be provided under the benefiting assessments process for those facilities expected to incur a loss.

In brief, the Authority's capital budget is comprised of projects which are required to satisfy identified parking shortfalls. The pro-active planning process ensures that the necessary funds are available to meet these needs.

During the last six years, through this planning process a number of new carparks were opened and existing facilities were expanded along the City's retail strips. These are summarized below:

New Parking Spaces Retail Strip Areas – 1984 to 1989

1984	
Gerrard St. E/Hamilton Street	43 spaces
Wildwood Cres/Kingsmount Park Rd (closed in 1989 due to poor usage)	65 spaces
Glen Cedar Rd/Eglinton Ave W	33 spaces
Chester Ave north of Danforth (expanded from 66 to 83 spaces)	17 spaces
Kennedy Ave/Glendonwynne Rd (expanded from 27 to 56 spaces)	29 spaces
	187 spaces
1985	
Bayview/Millwood Garage	20 spaces
Queen St E west of Cowan	32 spaces
Yonge St south of Ranleigh	37 spaces
Shaftsbury Ave east of Yonge	22 spaces
	111 spaces
1986	
St. Clair/Yonge Garage	149 spaces
Ferrier Ave north of Danforth	23 spaces
Palmerston Ave north of Bloor St W (expanded from 48 to 58 spaces)	10 spaces
Greenlaw Ave/MacKay Ave	17 spaces
	199 spaces
1987	
Dundas/Spadina Garage	129 spaces
Sherwood Ave east of Yonge	46 spaces
Thelma Ave east of Spadina Rd (relocation - increase in spaces from 37 to 48)	6 spaces
	181 spaces
1988	
Ladysmith Ave south of Danforth	30 spaces
1989	
College/Clinton garage	79 spaces
Yonge/Ranleigh (under construction)	15 spaces
Queen/Ossington (under construction)	20 spaces
	114 spaces

In total, since 1984, 708 new parking spaces have been provided in retail strip areas predominantly outside the Central Area.

Based on recent parking studies, the Authority has allocated funds over the next five years to the following developments along retail strips:

- Expansion/redevelopment of existing surface lots
  - Yonge and Roehampton
  - Yonge and Castlefield
  - St. Clair and Alvin
- Property acquisition
  - Gerrard and Coxwell
  - Bathurst and St. Clair
  - Queen St. East, the Beaches
  - Dundas St. West
  - Roncesvalles Avenue
  - Oakwood and St. Clair
- Other
  - Dundas and Dovercourt - possible joint venture with Cityhome and LCBO

Recently, the development of new parking facilities in the City has been hindered by the increasing cost of land and rising construction costs. These factors will continue to constrain the establishment of new facilities. In response, innovative funding and implementation solutions must be pursued to facilitate an increase in parking supply within the commercial strips. This must be done on a tightly controlled basis to maintain a balance between supply and demand. With this in mind, the following collective parking strategies are recommended:

Strategy Element

Expanding existing public parking facilities;

Benefiting assessment;

Payment-in-lieu funding;

Joint venture developments.

Expansion of Existing Public Parking Facilities

One method for increasing the public parking supply is the expansion of existing City-owned parking lots by decking. However, in many locations, only a limited number of

spaces can be added due to the size and configuration of the carparks. At an appropriate site, however, a one level deck can increase a carpark's capacity by 40% to 70%. This structure can be easily integrated with the surrounding land uses through architectural treatment and a low facade profile. The Parking Authority has been reviewing this matter and will continue to study the expansion of its facilities through the use of decks.

Benefiting Assessment

The City of Toronto Act, 1960-61, Section 4, as amended, outlines the required procedure for introducing a new carpark under the benefiting assessment. The legislation is included in Appendix B as is a flow chart of the process involved in establishing a benefiting assessment project. In brief, it permits the development of a carpark which is expected to incur a financial loss by spreading the cost to the Authority and nearby benefiting property owners.

Between 1963 and 1981, nine carparks containing 618 parking spaces have been constructed under the benefiting assessment scheme. In addition, numerous proposals have been reviewed and subsequently dropped. Without exception, the areas where benefiting assessment has been employed successfully had strong business associations and active support of Council members and City officials.

The benefiting assessment process can be a lengthy procedure given that a detailed planning study and a financial analysis to determine the Authority's and property owners' contributions must be completed. A suitably located site must also be identified and its availability and cost investigated.

Notwithstanding the time factor, benefiting assessment is flexible enough in its application to cover most situations. It remains a viable means of providing parking and should be part of the parking strategy for retail strips. Strong emphasis should be placed on making its advantages better known to business improvement areas and associations connected with retail strips throughout the City.

Payment-In-Lieu

The City of Toronto Act, 1962-63, Section 2, and the Planning Act, 1983, enables the City to accept cash payments from the owners or occupants of buildings in lieu of the provision of parking spaces required under the Zoning By-Law. The intent of the payment-in-lieu process, as pioneered by the Parking Authority of Toronto, was to assist developers in meeting their parking requirements in those cases where it was not physically possible to provide the parking on-site or off-site within a reasonable distance. Payments-in-lieu were to be approved for those areas where the lack of parking did not impose a hardship on the surrounding area.

The legislation specifically states how the money received from payment-in-lieu agreements should be handled. The monies are to be held in a reserve fund and applied as follows:

- firstly, for the payment of interest and principal falling due in each year in respect of any debentures issued for the development of municipal parking facilities;
- secondly, for the acquisition, establishment, laying out or improvement to additional municipal parking facilities; and
- thirdly, for such other purposes as City Council may approve.

Neither the enabling legislation nor the agreement between the City and the developer to accept the payment, impose any obligation on the City or the Parking Authority to construct parking spaces to meet the developer's specific requirements. The collective reserve fund was established to ensure that sufficient funds would be available for the provision of collective parking facilities as opposed to numerous, smaller carparks scattered throughout the City. The primary purpose was to accumulate funds for the development of off-street parking while minimizing traffic congestion that could arise if several small parking lots were built.

To draw an analogy, the principal governing the allocation of payment-in-lieu funds should be considered as being similar to that of municipal taxes, the City's Sewer Impost Charges and the Parking Meter Reserve Fund. In each of these cases, money is collected throughout the City and is expended where there is a need for various City services. The payment-in-lieu reserve fund is similar in that it is drawn upon to provide parking in areas within the City where a parking shortfall exists as determined by the Authority through its planning process. Priorities for the allocation of these funds are established through the Authority's planning process, which includes discussions with City officials, area residents and business representatives.

The growing trend towards the acceptance of payments for large parking deficiencies has frequently created false expectations that a municipal parking facility would be established to meet this shortfall. Such reasoning is not consistent with the initial intent of the legislation. Similarly, any proposed scheme which would earmark funds for a particular area as has been recently advocated would also not produce the desired results.

A geographic allocation system would imply that the criteria governing the use of the payment-in-lieu funds should be the location from which they originate, whereas the only valid consideration should be the need for parking spaces. Further, a geographic breakdown would not always ensure that adequate capital is available when needed for the development of new spaces. The payment-in-lieu is calculated at half the theoretical cost of providing the spaces. The Authority is required to match this contribution once the decision to build the spaces is made. The Authority would inevitably be required to pay a higher amount given the escalating real estate values and construction costs in the present market. Hence, a shortage of funds required for a project would result if the payments were earmarked for use in a particular area of the City, with the extreme being that sufficient funds would never be available.

This latter point is most relevant with respect to the City's retail strips where significant amounts of money from payments-in-lieu have not been collected. Between 1984 and 1988, a total of $2,728,450 was collected throughout the City of Toronto. However, only 28% or $765,003 were from applications originating outside the Central Area. Average land values in 1987 along the six case retail strip ranged from $80 to $250 per square foot. Based on these figures, sufficient land to accommodate only 10 to 30 surface parking spaces could be provided with the funds collected from the non-Central Area. On the other hand, if the full reserve fund was available, approximately 35 to 115 could be accommodated. This does not, however, take into consideration the actual cost of constructing the spaces. It must be stressed that given the significant land value increases in most retail strip areas since 1987, these supply figures would be reduced even further.

A further analysis was conducted on the spaces required as per the proposed parking standards for the six case study areas. Based on the development activity over the last five years, the following payments would have been made:

Table B

Potential Payments-In-Lieu as Per Proposed Parking Standards for Development Activity 1984-1989

	Net Spaces Required	Land Value (per sq.ft.*)	Total Cash Payments-in-lieu
Yonge	62	$250	$655,020
St. Clair	58	150	445,677
Bloor	39	100	253,591
Gerrard/Broadview	127	**100	825,796
Danforth	260	80	1,549,773
Queen	50	95	318,346
			$4,048,203

* Based on land values included in 1987 payment-in-lieu applications

** No applications made in 1987. Based on average land value along retail strips in 1987.

This table illustrates that a level of funds to enable the purchase of sufficient land for parking would not have been accumulated in any of the case strip areas. However, by amassing the funds, there would have been sufficient money available for the development of parking facilities in areas where parking deficiencies exist. Clearly, greater efficiency in providing off-street parking is achieved through the pooling of funds as has been the practice to date.

In view of the above, it is recommended that the existing payment-in-lieu system continue. Further, payment-in-lieu applications should be approved for parking spaces required under the standards recommended in this report provided that the original intent of the legislation is not violated. That is, it is not physically possible to provide the parking on-site or off-site within a reasonable distance and the lack of parking will not impose a hardship on the surrounding area.

Joint Venture

Joint venture projects allow the Authority to construct public parking spaces in conjunction with private developments. With multiple users sharing a common site, economies of scale can be achieved to provide parking spaces in high demand areas at a reduced cost. The scarcity of land and its increasing value has encouraged the Authority to seek to establish parking facilities via joint-venture projects. The key factor during these projects is the provision of public parking to meet the area and project demands.

A primary advantage of joint ventures is the flexibility of the terms and conditions for the construction and operation of the parking facilities. The agreements can be negotiated so that any physical and financial constraints are adequately addressed. In this regard, most joint ventures are unique.

Joint ventures may involve land owned by the City, a municipal agency or the private developer. A primary consideration for all projects involving the Authority's lands is that the City's property under the Authority's control will not be sold and that the City must maintain title to the land. The Authority will, however, negotiate the leasing of development rights to a prospective joint venture partner.

During the past few years, the Authority has opened a number of facilities as joint venture projects. A brief description of each is provided in Appendix C.

The majority of the completed joint venture projects are located within the Central Area. However, the Authority continues to actively seek potential projects along those retail strips where a parking deficiency has been identified. During the course of its parking studies, the Authority's staff contacts the City's planners to inform them of the parking plans for the area. The planners, through their contacts with developers, are aware of potential joint venture projects. As an example, the Dragon City joint development arose from such discussions. To expand the use of joint ventures, the Planning and Development Department staff should be made aware of the Parking Authority's plans, policies respecting joint ventures, identified parking deficient areas and when appropriate, should contact the Authority and/or inform developers of this opportunity.

4.3 Parking Management Strategies

The study findings revealed an imbalance between the use of on-street and public off-street parking spaces. At times of over-capacity conditions and extensive illegal parking on the streets, Parking Authority of Toronto lots were often observed to be under-utilized in some areas.

In addition to increasing the actual supply of parking, there is a clear need to employ various mechanisms to optimize the use of the existing supply. The following parking management strategies are key elements in achieving this balance.

Strategy Element

Promotion of Parking Authority facilities;

Enforcement of parking regulations;

Review of parking meter operations and rates.

Promotion of Parking Authority Facilities

The inclination to use on-street spaces may be due in part to a low awareness of the off-street spaces on the part of the driving public. For those facilities with low usage levels, it is recommended that the Authority review the location signs to determine if alternative locations or additional signs are needed.

In certain areas of the City, maps identifying the locations of the Authority's parking lots have been posted. It is recommended that the Authority continue to encourage this means of advertising. It is also recommended that the Authority consider the use of various media forms for its advertising, particularly multi-cultural.

Enforcement of On-Street Spaces

The strong preference by patrons of the commercial strips to utilize on-street spaces often results in parking at illegal on-street locations and time violations at metered spaces. Both of these situations impede the desired turnover of on-street spaces and encouragement of longer stay parkers to use off-street lots. Impediments to traffic and pedestrian flows and property access are also created. To alleviate these problems, a sufficient level of commitment to the enforcement of parking regulations for on-street spaces is critical.

The issue of enforcement of traffic and parking regulations has generated a great deal of activity over the past few years. Presently, Metropolitan Toronto and the Metropolitan Toronto Police are exclusively responsible for the enforcement and prosecution of all parking by-law infractions within the City of Toronto on all City roads, as well as Metro roads. Police Constables and Parking Control Officers are employed by the Police to carry out enforcement duties. Often, however, the issuance of parking violations has low priority in the overall responsibility of police officers.

A series of events, including numerous complaints registered by the public, a review of by-law enforcement practices by Metro and changes to Provincial legislation and procedures culminated in City Council's actions in the matter of parking enforcement at its September 6, 1988 meeting. In considering Clause 1 of Report No. 31 of the Executive Committee, Council adopted, as amended, recommendations that, if implemented, would have fundamental implications on the enforcement of parking regulations in the City. Among other things, Council:

- requested the Minister of Municipal Affairs to amend Section 186 of the Municipality of Metropolitan Toronto Act to specify that all fines collected for parking violations on all highways within the City be remitted to the City of Toronto;
- directed an Implementation Team consisting of senior City staff to enter into discussions with Metropolitan Toronto and the Police for the assumption of all parking by-law enforcement responsibilities, including administration by the City of Toronto; and
- authorized the City Solicitor to assume responsibility for the prosecution of all parking by-law violations within the City.

These actions were all made contingent upon the requested amendment to Section 186 of the Municipality of Metropolitan Toronto Act being enacted. It is clearly the intent of Council to assume responsibility for all parking enforcement matters within the City in order to alleviate the current problems.

Metropolitan Council, in dealing with City Council's initiatives at its meeting of May 10, 1989, opposed the City's requested amendment to Section 186 of the Municipality of Metropolitan Toronto Act regarding the allocation of parking fines and maintained their position of responsibility for the enforcement and prosecution of parking offences. Metro Council did, however, request the Police to establish a special municipal by-law enforcement unit dedicated to responding to local parking complaints throughout Metro.

Results from a 1986 survey conducted by the Department of Public Works at metered spaces in the Central Area illustrate the potential impacts of illegal on-street parking. Approximately 62% of the vehicles were observed to be legally parked, however, the remaining 38% who were illegally parked used 75% of the total time available at all parking spaces in an area. Further, although only 12% of the vehicles remained for greater than 2 hours, these occupied 42% of the available space-hours. It was also noted that only 18% of the illegally parked vehicles were tagged.

Resolution of these complex problems associated with parking enforcement is currently progressing under the auspices of the Parking Issues Sub-Committee of the City Services Committee. The comprehensive deliberations noted above and Council's recent authori-

zation of a public education programme aimed at informing the public as to which jurisdictions are currently responsible for parking enforcement, what the City's goals are and examination of the City using its power to tow away illegally parked vehicles, are key aspects.

The Retail Strips Parking Strategy Study results highlight the importance of enforcement in a comprehensive strategy, however, in order to avoid confusion and duplication of efforts, it is recommended that this will be best achieved through the aforementioned channels.

Review of Parking Meter Operations and Rates

The installation of parking meters is an important tool in regulating the use of prime on-street parking spaces for short stay parkers and facilitating turnover of these spaces. The meters set out the permitted time limit and identify violations for ready enforcement. Appropriate meter fee structures, in conjunction with adequate levels of enforcement can assist in the promotion of underutilized off-street parking spaces for longer stay parking.

In instances where no on-street controls are in place, longer term parking is more prevalent, at the expense of overall parking operations. This is illustrated by the field studies, which establish that Queen Street East, the only case study retail strip without parking meters, exhibits the lowest turnover. These types of time violations contribute to parking difficulties on retail strips. For example, a shop owner parking all day at a premium on-street space located on a retail strip where average turnover is 9, results in 9 other vehicles being denied access to the space. As noted in the previous subsection of this report, the cumulative impacts of this occurrence can be substantial, as the short stay parker may be reluctant to use an off-street space and simply park illegally.

The Department of Public Works installs, maintains and collects revenue from the parking meters throughout the City. Currently, some 8700 meters are in service, with approximately 55% on City roads and 45% on Metro roads. Parking meter installations along the retail strips are determined on the basis of a technical warrant system and authorized by City Council. Meters are also installed on the commercial flankage sections of the cross streets, with due regard to their impacts on safety, access, loading or boulevard cafe uses. However, meters are not as a rule installed in the adjacent low density residential areas.

A key to the successful use of parking meters throughout the City has been found through experience to be consistency in operations. Within the past 3 years, a 60 minute parking limit has been applied at virtually all meters in the City. This encourages the desired turnover while providing sufficient time for short stay parkers to conduct their business and also streamlines maintenance and parts inventory requirements. In addition to the standard time limit, hours of operation are not extended beyond the evening rush period or to Sundays. There is no reason to preclude the consideration of changing or expanding the standard operating hours in the future. However, limited attempts to extend hours, notably in the Broadview Avenue area, have generally been unsuccessful. This is due to a

number of factors, including some visual difficulty in using and enforcing the meters at night, and the unexpected variation for users in a specific area as opposed to the entire city.

The correlation between rates charged at meters versus public parking lots is one of several considerations in determining meter rates and deriving a parking strategy for retail strips, and has been the subject of considerable discussion in the past. Historically, rates charged at on-street meters have been lower than those at Parking Authority facilities. In some areas such as Queen Street East, on-street parking is free of charge. The principle that a higher fee should be paid for the convenience of prime on-street spaces is generally accepted, however, the actual relationship between the rates and their effect on parking utilization is uncertain.

In a measure to reflect the value of on-street parking spaces, City Council, at its meeting of September 6, 1988, approved the doubling of parking meter rates to $1.00 per hour inside and $0.50 per hour outside the Central Area. Fines for violations at parking meters were also doubled to $10.00. The conversion is scheduled to be completed in 1991. This will bring on-street meter rates equal to or higher than many nearby Parking Authority lots in retail strip areas. Future parking meter rate increases must be assessed against, among other things, rates charged at off-street lots, maintenance needs and the costs associated with implementing the conversion.

Finally, much attention has been generated by parking activity related to commercial uses in the adjacent residential areas. A recent change in legislation which has the potential to result in a reverse problem (i.e., longer stay residential parkers using commercial spaces) now exempts permit holders from the requirement to pay meter fees in their designated areas or to comply with the time limits. In effect, this introduces a factor that could lower turnover and replace short stay commercial related parkers at meters within the commercial flankage areas with long term parkers. The Commissioner of Public Works is currently assessing the extent and impacts of this situation and any measures that may be called for.

4.4 Land Use Deletions

A number of uses currently permitted on commercial strips adjacent to residential areas are inappropriate, due to their size or potential generation of traffic. In some cases, the introduction of a larger use may attract significant automobile useage. Other uses depend on a regional draw or provide a commodity or service that by its nature generates increased parking requirements.

It is recommended that the following uses be deleted from the CR and C1 zoning categories of Zoning By-Law 438-86, as amended by By-Law 909-88;

auctioneer's premises; airfield; airport; market gardening; golf course.

5

Loading Demand

The assessment of loading/unloading activity associated with retail and restaurant development on the six case study strips was derived from the consultant's summary of the employer/employee survey results. On average, each establishment receives in the order of 5 deliveries per week. In excess of 96% of these occur during regular business hours. Approximately 65% of loading activity takes place on-street in the vicinity of the establishment, while about 28% occurs in adjacent lanes and only 7% occurs on-site.

Currently, the Zoning By-Law requires that loading space be provided for retail stores greater than 550 square metres, with no on-site loading required for retail establishments less than this size. This recognizes that, due to the character of the retail strips, inadequate access and site constraints involved in the majority of cases, the provision of on-site loading facilities for these developments is often undesirable and physically impractical. Loading space is not required for any size of restaurant outside the Central Area. Given the considerations described above, provision of on-site loading spaces for larger establishments as required under Section 4(6) of the Zoning By-Law should continue to apply to retail uses, however, the requirement should also extend to restaurant uses over 550 square metres in size.

A number of strategies were reviewed to accommodate the significant incidence of on-street loading in commercial strips in an efficient manner, recognizing that this will continue to be the primary location for loading activity. Council has adopted a procedure for granting on-street loading zones in commercial areas under the authority of Traffic By-Law No. 522-78, subject to the satisfaction of a series of warrants. The establishment of these zones can be effective where above average loading demand is prevalent or chronic traffic congestion results. However, indiscriminant implementation would compete with prime on-street parking, and may be too remote to provide a general area wide benefit. It should also be noted that loading activity does occur in "No Parking" areas such as within 9 metres of an intersection, or any other designated area where, stopping for the purposes of loading or unloading goods is permitted. In certain instances where rear lanes are available, better signage may be required to encourage utilization of these facilities. Often, however, the lanes are subject to inferior geometrics and illegal parking that prevent their optimum use.

The physical constraints of most sites, intermittent lane network and current arrangements available to address loading on retail strips in the City render any general changes to existing loading requirements infeasible and largely unnecessary. Of course, individual problem situations must be assessed to determine whether some other measures may be required. The assessment of loading on commercial strips has again emphasized the importance of enforcement to maintain areas free of illegal parking activity and allow efficient loading operations.

With respect to dimensional requirements for loading spaces, the surveys indicate that loading operations primarily involve the use of single unit trucks, station wagons, vans, cars and pick-up trucks. Cars and small trucks are used in 58% of the deliveries while single unit trucks account for 38%. Tractor-trailers are used in only 4% of deliveries to retail and restaurant uses on the case study strips. Thirteen percent of the respondents indicated that different vehicle types are involved in loading activities at their establishments.

The existing Zoning By-Law for retail uses outside the Central Area stipulates only one minimum size requirement for loading spaces; 9.2m long, 3.7m wide and having a vertical clearance of at least 4.3m. This varies slightly from the Type B loading space which is defined by the dimensions 11m long, 3.5m wide and a vertical clearance of 4.0m. In order to more efficiently accommodate the use of single unit trucks and for the sake of consistency, the dimensional requirement for loading spaces identified in Section 4(6) of the Zoning By-Law should be modified to Type B loading space standards.

6

Recommendations

1. That City Council request the City Solicitor, in consultation with the Commissioner of Planning and Development, the Commissioner of Public Works, the Commissioner of Buildings and Inspections and the President of the Parking Authority of Toronto to submit a draft by-law to amend Zoning By-law 438-86 as amended by 909-88, with respect to all areas outside the Central Area, to give effect to the following:

   (a) the owner or occupant of every building or structure to be erected or used for retail uses and/or restaurant purposes excluding department stores and groceterias, shall be required to provide and maintain on the same lot or not more than 300 metres therefrom motor vehicle parking facilities as follows:

   Retail: One parking space per 80 square meters of Gross Floor Area or fraction equal to or greater than one half thereof

   Restaurant: One parking space per 33 square meters of Gross Floor Area or fraction equal to or greater than one half thereof

   (b) i) In the case of change of defined use to any portion of an existing building the minimum number of parking spaces required shall be the minimum number required under recommendation 1(a) on the basis of the net additional gross floor areas proposed;

   ii) In the case of an addition or an increase in floor area to an existing building the minimum number of parking spaces required shall be the minimum number required under recommendation 1(a) on the basis of the net additional gross floor areas proposed.

(c) That Section 4(6) be amended so as to:

i) include *restaurant, take-out restaurant* and *caterer's shop*;

ii) replace the dimensions contained within the By-law 438-86 with those of a 'Type B' loading space as defined in the By-law.

(d) the owner or occupant of any existing building designated as historical shall be exempted from the requirement to provide and maintain parking facilities with respect to such building (but not any additions thereto).

2. That City Council request the Parking Authority to consider, where conditions permit, the physical and economic feasibility of increasing the parking capacity of existing Parking Authority lots by constructing a deck over same.

3. That City Council request the Parking Authority of Toronto, in consultation with Commissioner of Planning and Development, to report on outreach strategies to advise all Business Associations and Business Improvement Areas of the Benefiting Assessment Legislation.

4. That City Council request the Parking Authority of Toronto to review the location, number and type of signs used for advertising any under-utilized facilities located along commercial strips.

5. That City Council request the Parking Authority of Toronto to promote the use of facility locational maps with the area business associations and merchants throughout the City.

6. That City Council request the City Solicitor to amend Zoning By-Law 438-86, as amended by By-Law 909-88, by deleting the following uses from CR and C1 zoning categories:

auctioneer's premises; airfield; airport; market gardening; golf course.

Robert E. Millward
Commissioner
Planning & Development Dept.

R. M. Bremner
Commissioner
Public Works Dept.

Reginald W. Lewis
President
Parking Authority of Toronto

Appendix A

Table 1
Retail Strips Land Use

	Length (m)	Land Use in Sq. M. (% of sub-total)				Sq. M. (% of total)			Open Space
		Retail	Restaurant	Office	Residential	Sub-Total	Other	Total	
Yonge St.	770	19,226 (42)	4,266 (9)	8,765 (19)	14,081 (30)	46,338 (65)	24,931 (35)	71,269	2,899
St. Clair Ave.	1,230	28,594 (41)	2,908 (4)	9,962 (14)	29,051 (41)	70,505 (68)	33,803 (32)	104,308	2,026
Bloor St.	870	22,445 (41)	1,966 (4)	12,212 (22)	18,041 (33)	54,664 (81)	13,408 (19)	68,072	0
Gerrard St.	725	6,248 (24)	2,628 (10)	3,855 (15)	13,303 (51)	26,034 (88)	3,686 (12)	29,720	436
Danforth Ave.	1,570	34,999 (32)	8,360 (8)	25,414 (23)	40,550 (37)	109,323 (79)	29,840 (21)	139,163	0
Queen St.	568	11,073 (35)	2,602 (8)	2,055 (7)	15,611 (50)	31,341 (84)	5,962 (16)	37,303	84,823
Total		**122,585 (36)**	**22,730 (7)**	**62,253 (18)**	**130,637 (39)**	**338,205 (75)**	**111,630 (25)**	**449,835**	**90,184**

Table 2
Parking Inventory and Duration

	Inventory (%)				Duration (Hours) (%)								
	On-Street	Residential Flankage	Off-Street	Total	On-Street 0-1	1-3	>3	Off-Street 0-1	1-3	>3	Overall 0-1	1-3	>3
Yonge St.	116 (25)	40 (9)	309 (66)	*465	82	14	4	35	41	24	57	28	15
St. Clair Ave.	159 (33)	145 (29)	183 (38)	487	68	23	9	65	21	14	67	22	11
Bloor St.	109 (19)	15 (2)	461 (79)	585	88	9	3	60	26	14	70	20	10
Gerrard St.	87 (42)	76 (37)	43 (21)	206	71	19	10	74	15	11	72	18	10
Danforth Ave.	254 (28)	85 (9)	584 (63)	923	77	16	7	49	23	28	62	20	18
Queen St.	129 (43)	105 (34)	68 (23)	302	70	20	10	71	23	6	70	21	9
Total	**854 (29)**	**466 (16)**	**1648 (55)**	**2968**									

* A 46-space off-street lot that was closed at the time of the surveys is included in the inventory.

Table 3
Parking Utilization Patterns

		Supply	Peak Illegal Parking	Time Period (parked vehicles/legal parking spaces) 11:00 11:30	11:30 12:00	12:00 12:30	12:30 13:00	13:00 13:30	13:30 14:00	14:00 14:30	14:30 15:00	15:00 15:30	15:30 16:00	16:00 16:30	16:30 17:00	17:00 17:30	17:30 18:00
Yonge St.	On-Street	156		1.33	1.26	1.37	1.38	1.42	1.30	1.37	1.26	1.19	0.99	0.99	1.02	1.04	1.04
	Off-Street	263		0.89	0.90	0.89	0.94	0.92	0.94	0.91	0.83	0.76	0.69	0.67	0.52	0.51	0.48
	Total	****419**	**70**	**1.06**	**1.03**	**1.07**	**1.10**	**1.11**	**1.08**	**1.08**	**0.99**	**0.92**	**0.80**	**0.79**	**0.71**	**0.71**	**0.69**
St. Clair Ave.	On-Street	304		1.17	1.09	1.15	1.18	1.14	1.11	1.17	1.14	1.11	1.09	1.02	1.01	1.02	0.95
	Off-Street	183		0.66	0.68	0.60	0.65	0.63	0.77	0.75	0.68	0.62	0.57	0.65	0.66	0.67	0.62
	Total	**487**	**98**	**0.98**	**0.93**	**0.94**	**0.98**	**0.95**	**0.98**	**1.01**	**0.97**	**0.92**	**0.89**	**0.88**	**0.87**	**0.88**	**0.82**
Bloor St.	On-Street	124		1.38	1.31	1.36	1.33	1.34	1.41	1.19	1.12	1.15	1.06	0.89	0.81	0.79	0.68
	Off-Street	461		0.84	0.85	0.79	0.77	0.74	0.74	0.81	0.84	0.81	0.77	0.76	0.79	0.76	0.75
	Total	**585**	**70**	**0.96**	**0.95**	**0.91**	**0.89**	**0.87**	**0.89**	**0.89**	**0.90**	**0.89**	**0.83**	**0.79**	**0.79**	**0.77**	**0.73**
Gerrard St.*	On-Street	163		0.27	1.02	0.92	0.82	0.82	0.77	0.79	0.79	1.00	1.04	1.06	1.05	1.01	0.90
	Off-Street	43		0.88	0.81	0.67	0.63	0.63	0.79	0.98	0.93	1.00	0.93	0.95	1.00	0.93	0.93
	Total	**206**	**18**	**0.40**	**0.98**	**0.87**	**0.78**	**0.78**	**0.78**	**0.83**	**0.82**	**1.00**	**1.02**	**1.03**	**1.04**	**1.00**	**0.91**
Danforth Ave.	On-Street	339		1.10	1.15	1.17	1.16	1.13	1.22	1.21	1.22	0.82	1.04	0.81	0.81	0.76	0.81
	Off-Street	584		0.52	0.57	0.57	0.60	0.62	0.67	0.66	0.65	0.63	0.59	0.61	0.62	0.60	0.57
	Total	**923**	**98**	**0.73**	**0.78**	**0.79**	**0.80**	**0.81**	**0.87**	**0.86**	**0.86**	**0.70**	**0.76**	**0.68**	**0.69**	**0.66**	**0.66**
Queen St.	On-Street	234		0.84	0.82	0.86	0.94	0.92	0.85	0.90	0.89	0.85	0.81	0.70	0.68	0.64	0.67
	Off-Street	68		0.75	0.78	0.85	0.95	0.84	0.91	0.96	0.97	0.74	0.75	0.76	0.69	0.76	0.90
	Total	**302**	**15**	**0.82**	**0.81**	**0.87**	**0.94**	**0.90**	**0.86**	**0.91**	**0.92**	**0.82**	**0.79**	**0.71**	**0.68**	**0.67**	**0.72**

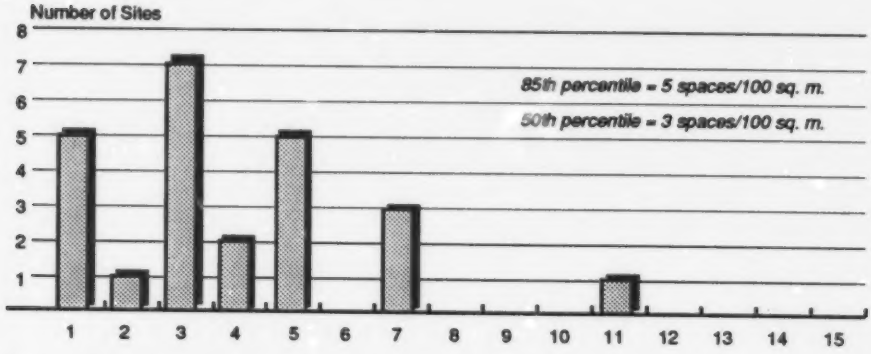
* Gerrard counts taken from 14:00 to 21:00.

** The 46-space P.A.T. lot that was closed is not included in this assessment.

Table 4
Parking Demand Summary

		Visitor Demand					Employee Demand			
		Demand (/100 sq.m.)	On-Street (%)	Off-Street (%)	Walk Time <3 Min. (%) On-Street	Off-Street	Demand (/100 sq.m.)	Public Spaces Served in Comm. Area	Private Spaces (/100 sq.m.)	Total Demand (/100 sq.m.)
Yonge St.	Retail	1.24	72	28	76	88	0.84 (47%)	81%	0.95	1.79
	Restaurant	3.00					0.31 (31%)		0.69	1.00
St. Clair Ave.	Retail	1.27	69	31	67	75	0.99 (70%)	60%	0.43	1.42
	Restaurant	3.00					1.17 (73%)		0.43	1.60
Bloor St.	Retail	1.30	43	57	51	60	1.02 (65%)	71%	0.56	1.58
	Restaurant	3.00					0.46 (29%)		1.10	1.56
Gerrard St.	Retail	1.20	52	48	69	33	0.73 (51%)	95%	0.69	1.42
	Restaurant	3.00					N/A		N/A	N/A
Danforth Ave.	Retail	1.25	76	24	76	73	0.69 (50%)	75%	0.70	1.39
	Restaurant	3.00					1.26 (79%)		0.33	1.59
Queen St.	Retail	1.00	73	27	79	44	0.58 (46%)	79%	0.67	1.25
	Restaurant	3.00					0.58 (37%)		0.94	1.49
Aggregate	**Retail**	**1.24**					**0.83 (56%)**		**0.65**	**1.48**
	Restaurant	**3.00**					**0.87 (60%)**		**0.58**	**1.45**

Table 5
Restaurant Visitor Parking Demand
Dinner Period



Restaurant Visitor Parking Demand
Lunch Period

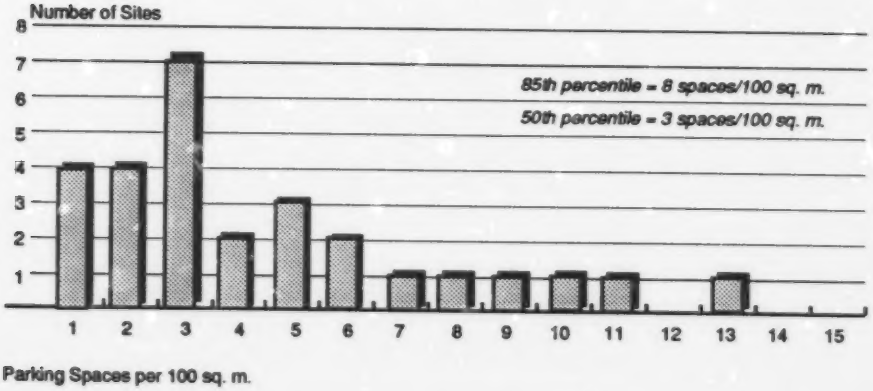


Table 6
Travel Mode

	Strip Area (%)				Local (%)				Adjacent (%)				Remote (%)				Overall** (%)		
	%	Auto	Walk	TTC	%	Auto	Walk	TTC	%	Auto	Walk	TTC	%	Auto	Walk	TTC	Auto	Walk	TTC
Yonge St.	43	11	87	2	22	27	55	18	26	58	4	38	9	33	0	67	29	50	21
St. Clair Ave.*	15	12	82	6	51	40	53	7	24	67	11	22	10	73	9	18	45	43	12
Bloor St.	17	0	100	0	42	51	40	7	23	71	9	20	18	79	0	16	52	36	10
Gerrard St.*	15	0	100	0	72	33	32	30	8	50	0	50	5	75	0	25	32	38	26
Danforth Ave.	18	3	90	0	50	32	43	19	18	53	0	40	14	63	0	32	34	39	21
Queen St.	72	22	63	7	6	43	29	14	17	52	10	29	5	60	20	20	30	50	12

* The local zone for St. Clair and Gerrard include adjacent zones whose centroid is closer to the strip than that of the local zone.
** Other modes (eg. taxi, bicycle) form a minor component of travel and are not compiled on this table.

Appendix B

Benefiting Assessment Legislation

Section 4 of The City of Toronto Act, 1960-61 as amended.

4. (1) A by-law of the council of the Corporation for acquiring, establishing, laying out and improving land, buildings, and structures where vehicles may be parked, and for erecting buildings or structures for the parking of vehicles may provide, with the approval of the Ontario Municipal Board, that the capital cost thereof, or any part thereof, shall be levied against the lands in one or more defined areas in the municipality, which, in the opinion of the council, derive special benefit therefrom, and in that case the by-law shall have appended thereto a schedule establishing the portion of the cost that shall be levied against each parcel of land in the defined area or areas.

(2) The capital cost or part thereof chargeable to lands in the defined area or areas shall be apportioned in the same ratio as the assessment of each parcel bears to the total assessment of the parcels in the defined area or areas, or as the valuation for assessment of each parcel of land exclusive of buildings bears to the total valuation for assessment of all the parcels of land exclusive of buildings, in the defined area or areas, or shall be charged at a special rate per foot frontage on the streets in the defined area or areas, exclusive of flankages.

(3) Where the council is of the opinion that any parcel of land is not benefited from the establishment of the parking lot to the same extent as other parcels within the defined area, the council may, in the by-law levying the cost, exempt such parcel from the levy or make a reduction in the amount of the cost that would otherwise be levied against the parcel.

(4) Where the capital cost, or part thereof, is to be levied as provided herein, the council shall give notice of its application to the Ontario Municipal Board for approval of the by-law to the assessed owner of each parcel of land in the defined area or areas and such notice shall include that part of the by-law that shows the portion of the cost levied against each parcel of land.

(5) The council may also by general by-law or by a by-law applicable to the particular project prescribe the terms and conditions upon which persons whose lots are specially charged may commute for a payment in cash the special rates imposed thereon.

(6) The charge levied against each parcel of land is payable in annual amounts over such number of years as the council may provide and is a lien on such parcel and may be recovered in the same manner as real property taxes may be recovered.

(7) The Ontario Municipal Board shall not approve the by-law if a petition objecting to the levy of the capital cost or part thereof against a defined area or areas signed by at least two-thirds of the assessed owners representing at least one-half of the assessed value of the land in the area or the total of the areas, as the case may be, is filed with the Board at or prior to the hearing of the application.

(8) There shall be an appeal to the court of revision constituted for the City of Toronto from any rate or charge or any exemption or reduction of any rate or charge under this section, and sections 43 to 51 of The Local Improvement Act (R.S.O. 1960.c223) shall apply mutatis mutandis.

(9) When a by-law has been passed in accordance with subsection 1 and such by-law provides that the capital cost of any part thereof shall be levied against the lands in one or more defined areas, and the council is of the opinion that lands in any other defined area or areas have begun or may begin to derive a special benefit therefrom, the council may by a further by-law, passed with the approval of the Ontario Municipal Board, levy charges against the lands in the last-mentioned area or areas of such amounts as would have been charged against the lands in the defined area or areas if the council had been of the opinion that the lands derived a special benefit therefrom at the time of the passing of the first-mentioned by-law.

(10) The charge levied against each parcel of land pursuant to subsection 9 shall be due and payable in equal annual instalments, commencing in the year next following the year in which the by-law imposing such levy was passed, and shall continue for such term of years as the charges where imposed by the by-law passed under subsection 1, and shall be a lien upon the land and may be recovered in the same manner as real property taxes may be recovered.

(11) Where charges are levied under subsection 9, they shall be paid to the Corporation, and shall be paid into a special account, and shall be applied to the credit of any portion of the capital cost of the work assumed by the Corporation and to the principal and interest payments upon any debentures issued in respect of such portion, and any surplus shall be used for the purposes set out in subclauses ii and iii of clause f of paragraph 67 of section 377 of The Municipal Act, the provisions of which shall mutatis mutandis apply.

(12) The provisions of subsections 3, 4 and 5 shall mutatis mutandis apply to a levy made by a by-law passed pursuant to subsection 9.

(13) Where the council is of the opinion that any lands in one or more defined areas in another municipality will derive special benefit from a by-law to be passed in accordance with subsection 1, the council may, with the consent of the council of such other municipality, provide in the by-law that a part of the capital cost shall be levied against such lands, and the provisions of subsections 1 to 12 shall apply mutatis mutandis to such provision.

(14) The clerk of the Corporation shall, forthwith after the passing of a by-law levying a special rate against lands in another municipality pursuant to subsection 13, deliver or transmit by registered mail to the clerk of such other municipality a copy of the by-law certified under his hand and the seal of the Corporation to be a true copy and the preparation of the special assessment roll and the carrying out of proceedings at and in connection with the court of revision referred to in subsection 8, in respect of the lands in such other municipality to be charged pursuant to the by-laws, shall be the duty of the clerk of such other municipality.

(15) The rates required by the by-law to be levied and collected in any year upon lands in such other municipality shall be collected by the council of such municipality in like manner as if such rates had been imposed by that council.

(16) The corporation of such other municipality shall pay to The Corporation of the City of Toronto the sums that are to be levied and collected in each year under subsection 15, and such payment shall be made on demand therefor at any time after the 14th day of December in that year, and shall be made whether or not such rates have been collected from the persons liable to pay them.

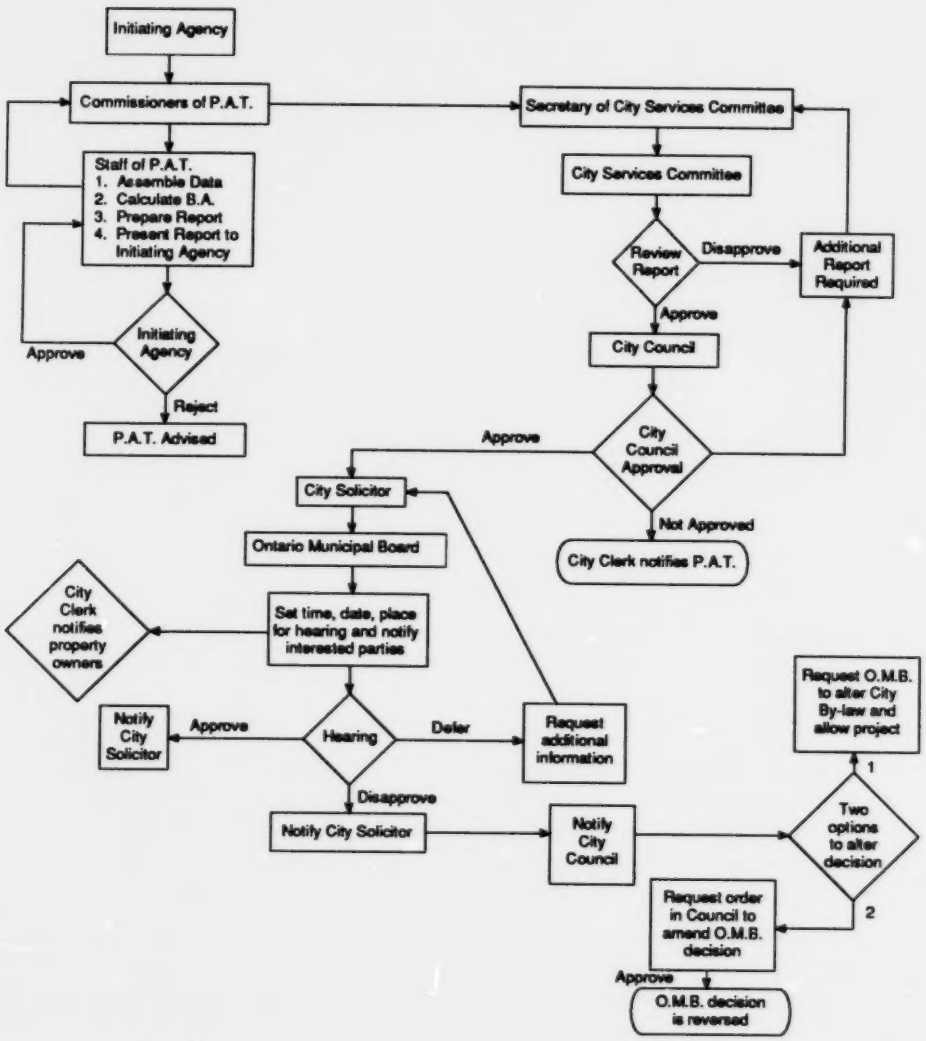
(17) Such payment does not relieve any land specially assessed from the special rate thereon, but it remains liable for the special rate until it is paid.

(18) Where the Corporation has acquired, established, laid out or improved land, buildings or structures where vehicles may be parked, or has erected buildings or structures for the parking of vehicles, the council may by by-law provide, with the approval of the Ontario Municipal Board, that the capital cost thereof, or any part thereof, shall be levied against the lands in one or more defined areas in the municipality which, in the opinion of the council, derive special benefit therefrom, and in that case the by-law shall have appended thereto a schedule establishing the portion of the cost that shall be levied against each parcel of land in the defined area or areas, and thereafter the provisions of this section, except subsections (13), (14), (15), (16) and (17), shall apply with necessary modifications.

(19) Where the council is of the opinion that any charge levied in a by-law passed in accordance with this section should be varied to reflect a lower capital cost than that which was estimated at the time of the passing of the by-law, the council

may, with the approval of the Ontario Municipal Board, pass a further by-law to reduce the charge and the provisions of subsections (3), (4), (5) and (8) shall apply with necessary modifications to any by-law passed under this subsection.

Benefiting Assessment Procedure



Appendix C

A. Completed Joint Venture Projects

1. *Holly Park Place Garage* (Holly Street and Eglinton Avenue) – a 460 space above-grade garage combined with a Cityhome housing project located on Authority property. Funding for the garage was partially provided through the sale of air rights to Cityhome.

2. *St. Lawrence Garage* (The Esplanade and Yonge Street) – a 1,038 space above-grade garage combined with a Cityhome housing project located on City-owned property.

3. *30 St. Clair Avenue West* (west of Yonge Street) – a 149 space underground garage and multi-storey office building. The Authority operates the facility under a management agreement with the building's developer.

4. *Bayview Avenue and Millwood Road* – a 20 space garage built by Truscan on Metro-owned property and leased to Truscan. The garage is operated by the Authority under a management agreement.

5. *Dragon City Garage* (Dundas Street West and Spadina Avenue) - a 129 space underground garage, leased on a long-term basis from the developer of the Dragon City commercial, office and residential development.

6. *Yonge Street and Sherwood Avenue* – a 46 space surface lot with a senior's housing complex developed in association with Metro Housing. The Authority entered into a long-term lease with Metro for the carpark area.

B. Joint Venture Projects Recently Completed in 1989

1. *220 Bloor Street West* (at Bedford Road) – an underground garage and a multi-storey hotel. The Authority leased part of its property at 220 Bloor Street West to a private developer, who in turn, will construct a 293 space underground garage to be leased back to the Authority.

2. *College Street and Clinton Street* – a 79 space garage, senior's housing to be operated by Metro and private office building. The Authority will lease the garage from Metro on a long term basis.

C. Joint Venture Projects Under Construction

1. *Larch Street*– a 342 space underground garage including a Cityhome housing project. The Authority assembled the parcels of land and Cityhome will make a partial land contribution payment.

2. *Yonge Street and Ranleigh Avenue*– a 15 space surface lot in association with Metro Housing complex. The Authority will lease the surface carpark from Metro.